

PATENT

DOCKET NO.: 0229US1/PHRM-0328



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Benjamin et al.

Serial No.: 09/866,066

Group No.: 1633

Filing Date: May 23, 2001

Examiner: not yet assigned

For: HUMAN ION CHANNELS

EXPRESS MAIL LABEL NO: EL650276883US
DATE OF DEPOSIT: Sept. 18, 2001

EL650276883US

BOX MISSING PARTS

Assistant Commissioner for Patents
Washington DC 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

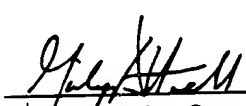
In response to the "Notice to File Missing Parts of Application--Filing Date Granted" dated July 18, 2001, a response to which is due September 18, 2001, enclosed herewith for filing

is:

- ☒ A copy of the Notice to File Missing Parts.
- ☒ The original Combined Declaration and Power of Attorney, executed by the inventor(s). An unexecuted copy of this document, attached to the above-identified specification, was filed by Express Mail No. EL719247795US on May 25, 2001.
- ☒ An Associate Power of Attorney is also enclosed.
- ☐ Request for Corrected Filing Receipt.
- ☐ A substitute specification in compliance with 37 C.F.R. 1.52.
- ☐ _____ Sheets of Substitute drawings in compliance with 37 C.F.R. 1.84.
- ☐ Other: _____

- ☐ Applicant(s) has previously claimed small entity status under 37 CFR §1.27
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as:
- ☐ an Independent Inventor
 - ☐ a Small Business Concern
 - ☐ a Nonprofit Organization
- ☒ A check in the amount of \$130 is attached to cover the surcharge. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☐ Please charge the surcharge to my Deposit Account No. 23-3050 in the amount of \$@@.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.
-
- ☒ Any patent application processing fees under 37 CFR 1.17 and under 37 CFR 1.20(d).
- ☐ The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
- ☒ Any filing fees under 37 CFR 1.16 including fees for presentation of extra claims.

Date: *September 18, 2001*


Gwilym John Owen Attwell
Registration No. 45,449

Woodcock Washburn Kurtz
Mackiewicz & Norris LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439



Receipt

DOCKET NO.: 002299 US1/PHRM-0328

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Benjamin et al

Serial No.: 09/866,066

Group No.: 1633

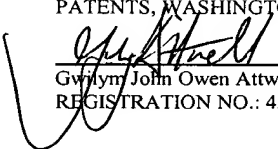
Filing Date: May 25, 2001

Examiner: Not Yet Assigned

For: HUMAN ION CHANNELS

DATE OF DEPOSIT: December 3, 2001

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO BOX MISSING PARTS, ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.


Gwynn John Owen Attwell:
REGISTRATION NO.: 45,449

BOX MISSING PARTS

Assistant Commissioner for Patents
Washington DC 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

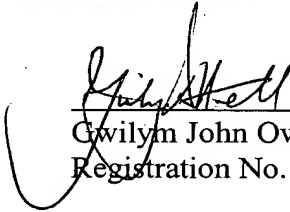
In response to the "Notice to File Missing Parts of Application--Filing Date Granted" dated October 22, 2001, a response to which is due December 22, 2001, enclosed herewith for filing is:

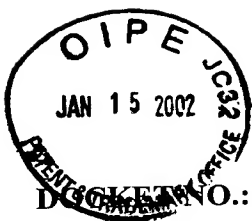
- ☐ A copy of the Notice to File Missing Parts.
- ☐ The original Combined Declaration and Power of Attorney, executed by the inventor(s). An unexecuted copy of this document, attached to the above-identified specification, was filed by Express Mail No. @@ on @@.
- ☐ An Associate Power of Attorney is also enclosed.
- ☐ Request for Corrected Filing Receipt.
- ☐ A substitute specification in compliance with 37 C.F.R. 1.52.

- ☐ _____ Sheets of Substitute drawings in compliance with 37 C.F.R. 1.84.
- ☒ Other: Communication; copy of original Combined Declaration and Power Of Attorney, copy of original Power of Attorney, copy of Response to Notice to File Missing Parts dated September 18, 2001; copy of Notice to File Missing Parts dated July 18, 2001 (showing a filing date of May 23, 2001); copy of Express Mail Receipt for Response to Notice to file Missing Parts showing "Date In" of September 18, 2001; copy of Decision from Office of Petition granting the corrected filing date of May 25, 2001; Copy of Corrected Filing Receipt Showing filing date of May 25, 2001; Copy of Notice to File Missing Parts showing the corrected filing date of May 25, 2001.
- ☐ Applicant(s) has previously claimed small entity status under 37 CFR §1.27
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as:
- ☐ an Independent Inventor
 - ☐ a Small Business Concern
 - ☐ a Nonprofit Organization

Date: *December 3, 2001*

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
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Gwilym John Owen Attwell
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DEPOSITED NO.: 00229.US1/PHRM-0328

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Benjamin et al.

Serial No.: 09/866,066

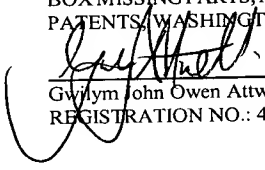
Group Art Unit: 1633

Filed: May 25, 2001

Examiner: Not Yet Assigned

For: **HUMAN ION CHANNELS**

DATE OF DEPOSIT: December 3, 2001
I HEREBY CERTIFY THAT THIS PAPER IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL
SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID ON
THE DATE INDICATED ABOVE AND IS ADDRESSED TO
BOX MISSING PARTS, ASSISTANT COMMISSIONER FOR
PATENTS, WASHINGTON, DC 20231.


Gwilym John Owen Attwell:
REGISTRATION NO.: 45,449

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

COMMUNICATION

This Application was originally granted an incorrect filing date of May 23, 2001. A Filing Receipt and a first Notice to File Missing Parts were issued July 18, 2001, each showing the incorrect filing date. A petition was filed on August 14, 2001 to have the filing date corrected to May 25, 2001. A Response to the first Notice of Missing Parts was filed on the due date of September 18, 2001. On September 26, 2001 the petition was granted and a corrected filing receipt was issued with the correct filing date of May 25, 2001. A second

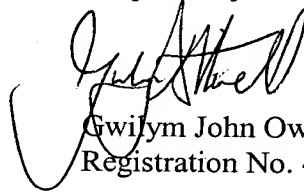
DOCKET NO.: 00229.US1/PHRM-0328

PATENT

Notice to File Missing Parts was issued on October 22, 2001 with the corrected filing date.

As a response to the second Notice to File Missing Parts, Applicants attach hereto copies of the original documents filed on September 18, 2001 in response to the first Notice to File Missing Parts as well as a copy of the Express Mail Receipt showing the "Date In" on September 18, 2001. Applicants also attach hereto copies of the corrected filing receipt and the correspondence from the Office of Petitions. As Applicant has completely responded to the first Notice to File Missing Parts, no check for the surcharge is enclosed.

Respectfully submitted,



Gwilym John Owen Attwell
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One Liberty Place - 46th Floor
1650 Market St.
Philadelphia, Pennsylvania 19103
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JAN 15 2002
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 UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/866,066	05/25/2001	1633	6162	00229.US1		115	27

CONFIRMATION NO. 6862

CORRECTED FILING RECEIPT



0000000006790110

Woodcock Washburn Kurtz
 Mackiewicz & Norris LLP
 46th Floor
 One Liberty Place
 Philadelphia, PA 19103

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Christopher W. Benjamin, Kalamazoo, MI;
 Steven L. Roberds, Mattawan, MI;
 Alla M. Karnovsky, Kalamazoo, MI;
 Cara L. Ruble, Paw Paw, MI;
 Lisa F. Gotow, Kalamazoo, MI;

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/207,152 05/26/2000
 AND CLAIMS BENEFIT OF 60/207,257 05/26/2000
 AND CLAIMS BENEFIT OF 60/207,119 05/26/2000

Foreign Applications

If Required, Foreign Filing License Granted 07/18/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

N n-Publicati n Request: No

Early Publicati n Request: No

Title

Human ion channels

Preliminary Class

435

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



UNITED STATES PATENT AND TRADEMARK OFFICE

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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/866,066	JAN 15 05/23/2001 2002	Christopher W. Benjamin	00229.US1

Woodcock Washburn Kurtz
Mackiewicz & Norris LLP
46th Floor
One Liberty Place
Philadelphia, PA 19103

CONFIRMATION NO. 6862

FORMALITIES LETTER



OC00000006314003

Date Mailed: 07/18/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE